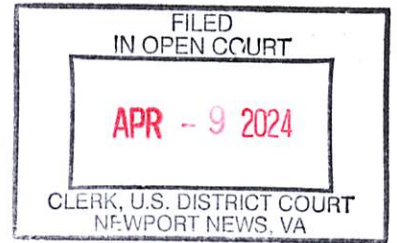


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division



UNITED STATES OF AMERICA

v.

JOSEPH ALLEN,

Defendant.

CRIMINAL NO. 2:24-cr-16

18 U.S.C. § 2252(a)(1)

Transportation of Images of Minors

Engaging in Sexually Explicit Conduct

(Counts 1-2)

18 U.S.C. § 2252(a)(4)

Possession of Images of Minors Engaging

in Sexually Explicit Conduct

(Count 3)

18 U.S.C. § 2251(a)

Production of Images of Minors

Engaging in Sexually Explicit Conduct

(Count 4)

18 U.S.C. § 2252(a)(2)

Distribution of Images of Minors

Engaging in Sexually Explicit Conduct

(Count 5)

18 U.S.C. §§ 2253, 2428

Criminal Forfeiture

**SUPERSEDING INDICTMENT**

April 2024 Term -- At Newport News, Virginia

THE GRAND JURY CHARGES THAT:

**COUNT ONE**

(Transportation of Images of Minors Engaging in Sexually Explicit Conduct)

On or about March 17, 2022, within the Eastern District of Virginia, and elsewhere, the defendant, JOSEPH ALLEN, did knowingly transport and attempt to transport a visual depiction using a means and facility of interstate and foreign commerce and in and affecting interstate and

foreign commerce, by any means including by computer, and the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and such visual depiction was of such conduct, that is: JOSEPH ALLEN transported and attempted to transport a visual depiction identified by the file name cf3acxxxx.mp4.

(In violation of Title 18, United States Code, Section 2252(a)(1)).

## **COUNT TWO**

(Transportation of Images of Minors Engaging in Sexually Explicit Conduct)

On or about March 19, 2022, within the Eastern District of Virginia, and elsewhere, the defendant, JOSEPH ALLEN, did knowingly transport and attempt to transport a visual depiction using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, by any means including by computer, and the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and such visual depiction was of such conduct, that is: JOSEPH ALLEN transported and attempted to transport a visual depiction identified by the file name 519caxxxx.mp4.

(In violation of Title 18, United States Code, Section 2252(a)(1)).

### **COUNT THREE**

(Possession of Images of Minors Engaging in Sexually Explicit Conduct)

On or about February 1, 2024, within the Eastern District of Virginia, defendant, JOSEPH ALLEN, did knowingly possess at least one matter, that is a blue Android phone, which was manufactured outside of the Commonwealth of Virginia, containing one or more visual depictions that had been shipped and transported using a means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, and which visual depictions were produced using materials which had been mailed and so shipped and transported, by any means, including by computer; and the production of such visual depictions involved the use of a minor, engaging in sexually explicit conduct and the visual depictions were of such conduct, and at least one visual depiction involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age. Examples include, but are not limited to, contents with the file names: -58945xxxx.jpg and ZY1Bxxxx.jpg.

(In violation of Title 18, United States Code, Section 2252(a)(4)(B).)

#### **COUNT FOUR**

(Production of Images of Minors Engaging in Sexually Explicit Conduct)

In or around May 2023, within the Eastern District of Virginia and elsewhere, the defendant, JOSEPH ALLEN, did employ, use, persuade, induce, entice, and coerce a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, and such visual depiction was actually transported and transmitted using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce .

(In violation of Title 18, United States Code, Section 2251(a)).

**COUNT FIVE**

(Distribution of Images of Minors Engaging in Sexually Explicit Conduct)

In or around May 2023, in Virginia Beach, Virginia, within the Eastern District of Virginia, and elsewhere, the defendant, JOSEPH ALLEN, did knowingly distribute a visual depiction using a means and facility of interstate and foreign commerce and that had been mailed, shipped, and transported in and affecting interstate and foreign commerce, and which contained materials which had been mailed and so shipped and transported, by any means including by computer, and the producing of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and such visual depiction was of such conduct.

(In violation of Title 18, United States Code, Section 2252(a)(2)).

## **CRIMINAL FORFEITURE**

THE GRAND JURY FURTHER FINDS PROBABLE CAUSE THAT:

A. Upon conviction of any of the violations alleged in Counts One through Three of this Indictment, the defendant, JOSEPH ALLEN, shall forfeit to the United States:

1. Any and all matter which contains child pornography, or any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, 2252, 2252A, 2252B, or 2260 produced, transported, mailed, shipped, distributed, or received in violation of Title 18, United States Code, Section 2251 *et seq.*;

2. Any and all property, real and personal, used or intended to be used in any manner or part to commit or promote the commission of violations of Title 18, United States Code, Section 2251 *et seq.*, and any property traceable to such property;

3. Any and all property, real and personal, constituting, derived from, or traceable to gross profits or other proceeds obtained from the violations of Title 18, United States Code, Section 2251 *et seq.*

B. If any property that is subject to forfeiture above it not available, it is the intention of the United States to seek an order forfeiting substitute assets pursuant to Title 21, United States Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).

C. The property subject to forfeiture includes, but is not limited to, electronic devices seized from the defendant on or about February 1, 2024, including a blue Android phone.

(All pursuant to Title 18, United States Code, Section 2253; and Title 21, United States Code, Section 853(p).)

*United States of America v. JOSEPH ALLEN*  
2:24-cr-16

A TRUE BILL:

**Sealed Pursuant to the  
E-Government Act of 2002**

\_\_\_\_\_  
FOREPERSON

JESSICA D. ABER  
UNITED STATES ATTORNEY

By: 

\_\_\_\_\_  
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